

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 220 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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BHARATSINH PATHUBHA THROUGH HIS SON DHRUVANSINH BHARATSINH

Versus

STATE OF GUJARAT

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Appearance:

MS SUBHADRA G PATEL for Petitioner  
MR UR BHATT ADDL.PUBLIC PROSECUTOR  
for Respondents.

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CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 26/03/98

ORAL JUDGEMENT

Rule. Mr. U.R.Bhatt, learned APP. waives the service of rule for and on behalf of the respondents.

2. The son of the prisoner has filed this application to get the prisoner Bharatsinh Pathubha released on further period of Parole, who is released on Parole. After being released, the prisoner is

hospitalised for NEPHROTIC SYNDROME treatment and as per the certificate of the hospital dt. 16th March, 1988 alongwith this application, the prisoner requires rest of four days. The Jail Doctor Mr. Dinesh Gohel, who treated the prisoner at Bhavnagar is accidentally present in the court. He, perusing the certificate attached, opins in the court that in such cases, a patient would require rest for a maximum period of 15 days. In view of such opinion expressed and looking to the certificate issued on 16th March, 1998, the prisoner Bharatsingh Pathubha is further required to be released on Parole for a period upto 1st April, 1998.

3. For the aforesaid reasons, this application is allowed. The prisoner Bharatsingh Pathubha is ordered to be released on Parole upto 1st April, 1998 on his executing a bond of Rs.1,000/- (Rupees: One thousand only) with one surety of the like amount or on his depositing the said amount in cash and executing personal bond of the same amount before the Jail authority and also on condition that he shall surrender back to the Jail authority latest by 16-00 hrs on 1st April, 1998. Rule accordingly made absolute. Direct service permitted.

Date: 26/3/1998. -----

(ccs)